

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

A.P. State Judicial Service – District Judges - Sri K. Veera chary, Formerly Chairman-cum-P.O. Industrial Tribunal-cum-Labour Court, Warangal now retired from service on attaining the age of superannuation of 60 years while under suspension - Disciplinary proceedings initiated – Imposition of Penalty - Orders – Issued.

LAW (LA&J – SC.F) DEPARTMENT

G.O.Ms.No. 145.

Dated: 09.12.2013.
Read the following:-

- 1) G.O.Ms.No.967 Law (LA&J-SC.F) Department, dt. 19.6.2012.
- 2) From the Registrar (Vigilance), High Court of A.P., D.O.Letter No.1572/2010-Vigilance Cell, dt.04.08.2012.
- 3) Government Memo. No. 259/SC.F/A1/2012, Law (LA & J-SC.F) Dept., Dt. 26-09-2012.
- 4) Representation of Sri K. Veera Chary, C.O., dt. 1.11.2012.
- 5) From the Secretary, A.P.Public Service Commission, Hyderabad, Lr.No.430/RT/3/2013, dt.22.02.2013

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ORDER:

The Registrar (Vigilance), High Court of A.P. has informed that the High Court, having considered the observations made by the Hon'ble Bench of the High Court in its order dt.16.12.2010 in WP.No.16796/2010 against Sri K. Veera chary, Chairman-cum-Presiding Officer, Industrial Tribunal-cum-Labour Court, Warangal (now retired), and remarks of the officer, besides placing the officer under suspension disciplinary proceedings were initiated against him by the High Court. Two article of charges were framed and communicated to the officer, requiring him to submit his written statement and the officer submitted his written statement.

2. The Registrar further stated that the High Court having further considered the written statement submitted by the Charged Officer in reply to the articles of charges framed against him, ordered a regular departmental enquiry against him in accordance with the provisions laid down under Rule 20 of the A.P. Civil Services (CC&A) Rules, 1991, and nominated Hon'ble Sri Justice G.V. Seethapathy, as Inquiring Judge to conduct the enquiry into the charges and appointed Sri G. Shyam Prasad, Metropolitan Sessions Judge, Hyderabad as Presenting Officer.

3. The Hon'ble Inquiring Judge on appreciation of evidence adduced during the course of enquiry held that both the charges framed against the charged officer are proved.

4. Thereafter, the High Court, having further considered the enquiry report together with the entire record of enquiry, supplied a copy of enquiry report to the Charged Officer requesting him to submit his comments and the charged officer submitted his comments as called for.

5. Thereafter having further considered the enquiry report and the comments received from the Charged Officer, the High Court decided and recommended for imposition of a penalty of 5% cut in the pension, as per the Rule 9 of A.P. Revised Pension Rules, 1980, upon Sri K.Veera chary, formerly Chairman-cum-Presiding Officer, Industrial Tribunal-cum-Labour Court, Warangal, now retired while he was under suspension, on attaining the age of superannuation of 60 years, subject to the result of SLP(Civil) Nos.30888-30889 of 2008 filed by the High Court and pending before the Hon'ble Supreme Court and requested the Government to issue necessary orders accordingly.

P.T.O.

6. Government after careful examination of the entire matter on the recommendations of the High Court of A.P., have provisionally decided to impose a penalty of five percent (5%) cut in pension under A.P. Revised Pension Rules, 1980, and a show-cause notice has been issued to the Charged Officer calling for his reply if any. The Charged Officer, Sri K. Veera chary submitted his reply. The A.P. Public Service Commission has also been consulted in the matter.

7. The Government have examined carefully the findings of the Inquiring Judge, the entire record of the enquiry, the recommendation of the High Court and reply of the Charged Officer and have come to the conclusion that the charges framed against the charged officer i.e. Sri K. Veera chary, are proved against him and therefore decided to impose the punishment of 5% cut in pension against Sri K. Veera chary, Formerly Chairman-cum-P.O. Industrial Tribunal-cum-Labour Court, Warangal now retired from service on completion of sixty (60) years of age.

8. Accordingly, the following notification will be published in an Extraordinary issue of the Andhra Pradesh .Gazette dt. 09-12-2013

NOTIFICATION

In exercise of the powers conferred under Rule 9 of the Andhra Pradesh .Revised Pension Rules, 1980, the Governor of Andhra Pradesh hereby impose the penalty of five percent (5%) cut in pension against Sri K. Veera chary, Formerly Chairman-cum-Presiding Officer, Industrial Tribunal-cum-Labour Court, Warangal retired from service while under suspension on attaining the age of superannuation of sixty (60) years, subject to the result of SLP (Civil) No.s 30888-30889 of 2008 filed by the high court of A.P. an pending before the Hon'ble Supreme Court of India.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. P.K. MOHANTY
CHIEF SECRETARY TO GOVERNMENT

To
Sri K. Veera chary, Dist. Judge (retired),
through the Registrar (Vigilance), High Court of A.P., Hyderabad.
The Registrar (Vigilance), High Court of A.P., Hyderabad.
The Commissioner of Printing, Stationary and Stores Purchase
(Printing Wing), Chanchalguda, Hyderabad for publication in the A.P.Gazette.
He is requested to send 15 copies of the same immediately).

Copy to:

The Accountant General, A.P., Hyderabad.
The A.P. Vigilance Commission, Hyderabad.
The Secretary, A.P.Public Service Commission, Hyderabad.
P.S. to Hon'ble M(L&C)/P.S. to C.S./
P.S. to Secretary (LA&J), Law Dept.
Law (E) Deptt.
SF/SCs.

// FORWARDED BY ORDER //

SECTION OFFICER (SC)